

REMARKS

By this amendment, Applicants have amended claims 24, 32, and 36. As a result, claims 24-43 remain pending in this application. These amendments are being made to facilitate early allowance of the presently claimed subject matter. Applicants do not acquiesce in the correctness of the objections and rejections and reserve the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

Initially, Applicants note that the Office references U.S. Patent No. 6,498,656 (Mastie) in the Office Action at p. 2, paragraph 1. However, the Office does not include Mastie on the Notice of References Cited or include any indication as to how Mastie is used in the rejection or its relevance. As a result, Applicants respectfully request clarification of the record with respect to this reference.

In the Office Action, the Office rejects claims 24-43 under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,816,270 (Cooper). In order to establish a *prima facie* case of anticipation, the Office must show that Cooper describes each and every element as set forth in the claim. MPEP § 2131. Since the Office fails to show that Cooper describes each and every element of the claimed invention, Applicants respectfully request withdrawal of this rejection.

For example, with respect to claim 24, the Office fails to show that Cooper describes the claimed displaying. To this extent, Applicants have amended claim 24 to further clarify that image data that is received on the client over a network is displayed in an interface at the client. The image data is based on a print file transmitted to a server over a network. In support of the

rejection, the Office cites FIG. 1 of Cooper and alleges that it “inherently teaches allowing the user to preview the file send [sic] or to be send [sic] using the display”. Office Action, p. 2.

Applicant respectfully traverses this inherency holding.

In particular, the express teachings of Cooper state that the print preview is generated and displayed on the client, without any interaction from a server. For example, FIG. 4 of Cooper shows a printer subsystem layer 403 that includes an intelligent print driver 402 and a GUI 410. GUI 410 enables a user to select a print preview function. Cooper, col. 6, lines 4-22. “If print preview is selected through GUI 410, then intelligent print driver 402 shows a print preview of the job...” Cooper, col. 6, lines 36-42. The print preview is based on a device independent format (DIF) file, which is generated by intelligent printer driver 402. Cooper, col. 5, lines 52-60; col. 6, lines 36-42. As shown in FIG. 4 of Cooper, intelligent printer driver 402 may communicate over a network to a printer device layer 426. However, this communication occurs after the print preview. See, e.g., Cooper, col. 6, lines 35-65; FIG. 6, steps 608, 612, 622; col. 7, lines 21-25 and 58-65. While Cooper states that intelligent print driver 402 can be located at the server, Cooper states that “the print preview function is typically located at the client.” Cooper, col. 8, lines 38-42. As a result, contrary to the Office’s assertion, FIG. 1 of Cooper does not inherently teach the claimed displaying.

Further, Cooper fails to disclose displaying image data that is based on a print file as in the claimed invention. As discussed above, the print preview in Cooper is based on a device independent format (DIF) file, which is generated by intelligent printer driver 402. Cooper, col. 5, lines 52-60; col. 6, lines 36-42. The DIF file is provided to a platform selected for printing the print job. Cooper, col. 6, lines 36-39; col. 7, lines 43-47 and 54-57. The platform includes a

printer device layer 426, which includes the various drivers 420, 422, 424 that apparently generate various types of print files (postscript, PCL, raster) as known in the art. Cooper, FIG. 4; col. 6, lines 48-51. As a result, Cooper teaches providing a print preview prior to generating a print file. In sharp contrast, the claimed invention previews a document by generating a print file and displaying image data that is based on the print file.

Still further, Cooper fails to disclose displaying image data that is received on a client over a network and which is based on a print file transmitted over a network as in the claimed invention. To this extent, Applicants note that Cooper fails to discuss receiving any type of image data on a client over a network, let alone image data that is based on a print file. In sharp contrast, as discussed above, Cooper's preview is based on a DIF file and is displayed prior to the generation of a print file.

In light of the above reasons, either alone or in combination, Applicants respectfully submit that the Office fails to show that Cooper describes each and every feature of the claimed invention. As a result, Applicants respectfully request withdrawal of the rejection of claim 24 and claims 25-31, which depend therefrom, as allegedly being anticipated by Cooper. In the alternative, Applicants respectfully submit that the Office further clarify how Cooper allegedly describes previewing a document by transmitting a print file over a network, and receiving image data that is based on the print file over the network as in the claimed invention.

With further respect to claim 29, Applicants respectfully submit that the Office fails to show that Cooper describes compressing the print file before transmitting it over a network as in the claimed invention. In support of its rejection, the Office alleges that the claimed feature is "inherently taught by fig. 1, since it is well know [sic] that big files send [sic] through a network,

are send [sic] compressed to reduce bandwidth and transmission time”. Office Action, p. 3.

Applicants respectfully submit that this constitutes improper Official Notice by the Office. In particular, Applicants respectfully submit that it is not common knowledge or well known in the art to compress a print file prior to transmitting it over a network. To the contrary, print files are commonly communicated to printers, which typically do not include an ability to decompress a compressed file. As a result, Applicants again respectfully request withdrawal of the rejection of claim 29 as allegedly being anticipated by Cooper. Alternatively, Applicants respectfully request that the Office provide some documentary evidence for its position that such a process is well known.

With further respect to claim 30, Applicants respectfully submit that the Office fails to show that Cooper describes verifying the print driver before transmitting a print file over a network as in the claimed invention. In support of the rejection, the Office cites col. 3, line 5 thru col. 6, line 22 of Cooper and states that “the user can determine not to send the file after previewing the file”. Office Action, p. 3. However, Applicants note that Cooper includes no description of verifying a print driver prior to transmitting a print file. To the contrary, Cooper merely discusses the user making the determination after viewing the preview. Cooper, col. 7, lines 24-28. This discussion implies that the determination is based on the preview, and not a verification of a print driver. As a result, Applicants again respectfully request withdrawal of the rejection of claim 30 as allegedly being anticipated by Cooper. Alternatively, should the Office maintain its rejection, Applicants respectfully request that the Office further clarify how Cooper allegedly discloses verifying a print driver.

With respect to independent claims 32 and 36, Applicants note that the Office relies on its rejection of claim 24. To this extent, Applicants herein incorporate the arguments presented above with respect to claim 24. As a result, Applicants respectfully request withdrawal of the rejections of claims 32 and 36 as well as claims 33-35 and 37-43, which respectively depend therefrom, as allegedly being anticipated by Cooper.

With further respect to claim 43, Applicants respectfully submit that the Office fails to show that Cooper describes program code for transmitting a print file, which comprises a postscript file, over a network as in the claimed invention. In support of its rejection, the Office cites FIG. 4 of Cooper. Applicants note that the only mention of “postscript” with respect to FIG. 4 is in platform postscript driver 420, which is included as part of printer device layer 426. Applicants note that Cooper does not include any discussion of postscript driver 420 transmitting a postscript file over a network. As a result, Applicants again respectfully request withdrawal of the rejection of claim 43 as allegedly being anticipated by Cooper. Alternatively, should the Office maintain its rejection, Applicants respectfully request that the Office further clarify how Cooper allegedly describes program code for transmitting a print file, which comprises a postscript file, over a network.

Applicants submit that each of the pending claims is patentable for one or more additional unique features. To this extent, Applicants do not acquiesce to the Office’s interpretation of the claimed subject matter or the references used in rejecting the claimed subject matter. Additionally, Applicants do not acquiesce to the Office’s combinations and modifications of the various references or the motives cited for such combinations and modifications. These features and the appropriateness of the Office’s combinations and

modifications have not been separately addressed herein for brevity. However, Applicants reserve the right to present such arguments in a later response should one be necessary.

In light of the above, Applicants respectfully submit that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the number listed below.

Respectfully submitted,

/John LaBatt/

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